

PATENT  
App. Ser. No.: 10/092,987  
Atty. Dkt. No. ROC920010332US1  
PS Ref. No.: IBMK10332.Y1

## REMARKS

This is intended as a full and complete response to the Office Action dated January 25, 2006, having a shortened statutory period for response set to expire on April 25, 2006. Please reconsider the claims pending in the application for reasons discussed below.

Claims 1-23 are pending in the application. Claims 1-23 remain pending following entry of this response. Claims 1, 5, 6, 8, 9, 10, 12, 16, 17, 18, 22, and 23 have been amended. Applicants submit that the amendments do not introduce new matter.

### Claim Rejections - 35 U.S.C. § 112

Claims 5, 6, 8, 9, 10, 16, 17, 22, and 23 have been amended to address an antecedent basis issue pointed out by the Examiner. As the amendments address this issue, Applicants respectfully request that this rejection be withdrawn.

### Claim Rejections - 35 U.S.C. § 102

Claims 1-11 are rejected under 35 U.S.C. 102(e) as being anticipated by Oracle, Oracle Enterprise Manager Database Tuning with the Oracle Turning Pack, 2001 (*Oracle*). Respectfully, Applicants traverse the rejection.

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). "The identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). The elements must be arranged as required by the claim. *In re Bond*, 910 F.2d 831, 15 USPQ2d 1566 (Fed. Cir. 1990).

In the present case, *Oracle* does not disclose "each and every element as set forth in the claim". For example, *Oracle* does not disclose "providing an integrated

## PATENT

App. Ser. No.: 10/092,987  
Atty. Dkt. No. ROC920010332US1  
PS Ref. No.: IBMK10332.Y1

development environment ... and receiving a selected fragment of source code, wherein the source code fragment includes a source code statement that references a result of a structured query language statement," as recited by claim 1. Further, as *Oracle* does not disclose this element, *Oracle* does not disclose subsequent claim elements of "retrieving the SQL statement corresponding to the source code statement and presenting a user interacting with the integrated development environment with a recommendation for optimizing the retrieved SQL statement, relative to the source code statement," as recited by claim 1.

The Examiner argues that these limitations are disclosed at *Oracle*, pp. 1-2, and 11. However, the cited pages appear to be directed to the "tuning" an SQL query using the commercially available Oracle database product and "SQL Analyze" application. That is, the "SQL Analyze" application may be used to assist a system administrator in tuning a particular SQL query independently from the source code of a particular application when it is developed, from a source code fragment that includes a source code statement referencing a query result, and/or from an integrated development environment (IDE) as recited by the present claims.

More specifically, the Examiner asserts that *Oracle*, pp. 1-2, discloses providing an integrated development environment and receiving a selected fragment of source code, wherein the source code fragment includes a source code statement that references a result of a structured query language statement. However, nothing in this material discloses an integrated development environment. As is well known by one of ordinary skill in the art, an integrated development environment (IDE) provides a programming environment that typically bundles a compiler and debugger together with GUI source code editor. An IDE allows a developer to compose, build, and debug computer software applications. Applicants' claim a method of providing programming assistance to such a developer that includes receiving a selected fragment of source code, wherein the source code fragment includes a source code statement that references a result of a SQL statement and presenting a user interacting with the

## PATENT

App. Ser. No.: 10/092,987  
Atty. Dkt. No. ROC920010332US1  
PS Ref. No.: IBMK10332.Y1

integrated development environment with a recommendation for optimizing the retrieved SQL statement, relative to the source code statement.

In contrast, *Oracle* discloses a tool for a database administrator to "tune" an SQL query. *Oracle* does not, however, disclose anything directed to an (1) IDE, (2) to providing programming assistance to a developer interacting with an IDE, or (3) anything directed to fragments of source code. Respectfully, Applicants submit that an SQL statement is not source code. This is expressly true for the present claims, as they recite the limitation of a fragment of source code that references a result of an SQL statement. Clearly, the present claims contemplate *both* a source code fragment *and* an SQL statement. As recited by claim 1, for example, these are distinct elements. Claims 12 and 18 include similar limitations. The Examiner, however, cites passages from *Oracle* that disclose nothing more than an SQL query that may be "tuned" for "index joining" by the Oracle "SQL Analyze" product.

Further, Applicants submit that the "index tuning recommendations" used to "tune" a database query in Oracle's database product, does not disclose the claim limitation of "optimizing the retrieved SQL statement, relative to the source code statement." Specifically, the IDE, the source code fragment, and the source code statement are completely absent from the *Oracle* reference relied upon by the Examiner. This is hardly surprising, however, as *Oracle* is written with a database or systems administrator in mind. Such an individual may use the "tuning" features of the "SQL Analyze" product, and more generally, the "Oracle Enterprise Manager Database Tuning with the Oracle Tuning pack" cited by the Examiner to improve the performance of an Oracle database system.

Applicants' claims however, are directed to providing programming assistance to the developer of an application that includes source code statements that themselves may access information retrieved from a database. Nothing in the material cited by the Examiner discloses anything directed to a method of providing programming assistance that includes receiving a selected fragment of source code, wherein the source code

PATENT  
App. Ser. No.: 10/092,987  
Atty. Dkt. No. ROC920010332US1  
PS Ref. No.: IBMK10332.Y1

fragment includes a source code statement that references a result of an SQL query and presenting ... a recommendation for optimizing the retrieved SQL statement, relative to the source code statement.

Therefore, for all the foregoing reasons, the claims are believed to be allowable, and allowance of the claims is respectfully requested.

Claim Rejections - 35 U.S.C. § 103

Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over *Oracle* in view of *Helgeson* (U.S. 6,643,652).

Applicants respectfully traverse this rejection. Claim 9 depends from claim 1. Based on the foregoing discussion of the independent claim 1, Applicants believe that the rejection of dependent claim 9 is obviated without the need for further comment.

Claims 12-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Oracle* in view of *Osborn et al* (or hereinafter "*Osborn*") (US 6249791).

Applicants respectfully traverse this rejection. Claims 12 and 18 claim a computer readable medium and a system that performs the method recited by claim 1. Based on the foregoing discussion of the independent claim 1, Applicants believe that the rejection of claims 12-17 and 18-23 is obviated without the need for further comment.

Therefore, the claims are believed to be allowable, and allowance of the claims is respectfully requested.

**PATENT**  
App. Ser. No.: 10/092,987  
Atty. Dkt. No. ROC920010332US1  
PS Ref. No.: IBMK10332.Y1

### Conclusion

The secondary references made of record are noted. However, it is believed that the secondary references are no more pertinent to the Applicants' disclosure than the primary references cited in the office action. Therefore, Applicants believe that a detailed discussion of the secondary references is not necessary for a full and complete response to this office action.

Having addressed all issues set out in the office action, Applicants respectfully submit that the claims are in condition for allowance and respectfully request that the claims be allowed.

Respectfully submitted, and  
**S-signed pursuant to 37 CFR 1.4,**

/Gero G. McClellan, Reg. No. 44,227/

Gero G. McClellan  
Registration No. 44,227  
PATTERSON & SHERIDAN, L.L.P.  
3040 Post Oak Blvd. Suite 1500  
Houston, TX 77056  
Telephone: (713) 623-4844  
Facsimile: (713) 623-4846  
Attorney for Applicants